

AO-91 (Rev. 8/01) Criminal Complaint

APR 29 2014

UNITED STATES DISTRICT COURT

David J. Bradley, Clerk

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Luis O. MONTES
US Citizen
YOB: 1991

Case Number: M-14-0831-M

I, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about April 28, 2014 in Hidalgo County, in
(Date)
the Southern District of Texas Defendant(s) did,

Knowingly and intentionally import into the United States from the United Mexican States approximately 10.80 kilograms of cocaine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 10.80 kilograms of cocaine, a Schedule II controlled substance

in violation of Title 21 United States Code, Section(s) 952(a) and 841(a)(1)I further state that I am a(n) Special Agent And that this complaint is based on the
Official Title

following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Signature of Complainant

Juan P. Hernandez, U.S. HSI Special Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

Date

APR 29
April 28, 2014

8:37 am At

McAllen, Texas

City and State

U.S. Magistrate Judge, Peter Ormsby
Name and Title of Judicial Officer

Signature of Judicial Officer

Attachment "A"

On April 28, 2014 at 0730 hours a Chevy Cobalt arrived at the Pharr, Texas Port of Entry from Mexico. United States Customs and Border Protection Officer (CBPO) B. Sarmiento was working the primary inspection area where she obtained a negative declaration from the driver, Luis Orlando MONTES. CBPO Sarmiento noticed the vehicle had a TECS record for a hidden compartment and referred the vehicle into the secondary inspection area for a closer inspection.

CBPO E. Molano was working the secondary inspection area and also obtained a negative declaration from MONTES. CBPO Molano conducted a seven point inspection on the vehicle. The vehicle was also inspected by CBPO D. Garza with his K9 companion, Max and the K9 alerted to the air bag area. The vehicle was then taken to Vacis where Vacis operator CBPO J. Perales noticed anomalies around the air bag compartment of the vehicle. Further inspection in the passenger side air bag area revealed 10 bundles filled with a white like powdery substance which later tested positive for cocaine. The 10 bundles weighed 10.80 kilograms. At this point MONTES was escorted to a detention cell and Homeland Security Investigations (HSI) Special Agent (SA) G. Dupree was contacted.

A short time later, HSI SA J. Hernandez was notified and arrived at the Pharr, TX POE and was informed of the situation. SA Hernandez advised MONTES his Miranda warnings as witnessed by SA Ralph Garza. MONTES stated he understood his rights and elected to waive them.

MONTES stated he was going to get paid \$1,000.00 U.S. dollars to drive the loaded vehicle across the Pharr, Texas POE. Upon arrival in Mission, Texas, MONTES was to deliver the vehicle at the Walmart Store located on Shary Road and Expressway 83. MONTES further stated that he did not know who would be accepting the vehicle at the Walmart. MONTES also said he did not know the exact amount or the type of narcotics he was smuggling.

MONTES stated two months ago he had an accident in which his motorcycle did some damage to the truck of an individual, who he describes as a powerful man in Reynosa. This individual then told him he would need to cross a vehicle he will give him into the United States when he told him to in order to repay back for the damage his bike had caused his truck.

A week later MONTES accepted a Chevy Cobalt from this individual and used the vehicle to come to work daily into the United States. MONTES stated he was contacted by the individual who gave him the vehicle on Saturday, April 26, 2014. MONTES was told to leave the vehicle at the Soriano Store in Reynosa, Tamaulipas Mexico and to pick it up on Sunday, April 27, 2014 at the same location.

MONTES was then instructed to make entry into the United States on Monday, April 28, 2014.